

Express Mail" Label No. EV 332106332 USDate of Deposit: January 21, 2004**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

EKKEHARD SCHUETZ *et al.*

Application No.:

Filed: Herewith

For: DIAGNOSTIC DETECTION OF  
NUCLEIC ACIDS

Examiner:

Art Unit:

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.87 AND 1.98Commissioner for Patents  
Alexandria, VA 22313-1450

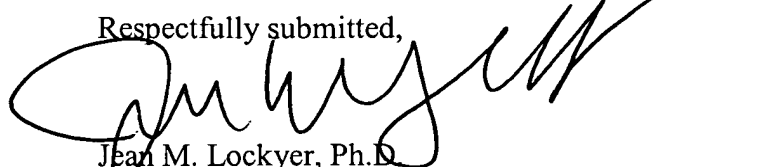
Sir:

Applicants respectfully request that the references cited by and submitted to the Patent Office during examination of parent application 10/115,278 filed April 1, 2002, which application is relied upon in the above-identified application for an earlier filing date under 35 U.S.C. §120, be made of record in the above-identified application. Enclosed is a copy of the Information Disclosure Statement with attached Form PTO/SB/08B filed in the parent application on October 1, 2002; copies of the references will be found in the parent application.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

No fee is required for submission of this statement at this time. However, if a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 20-1430. Please also charge any additional fees or credit any overpayment to this Deposit Account.

Respectfully submitted,

  
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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/115,278
				Filing Date	April 1, 2002
				First Named Inventor	Schuetz, Ekkehard, et. al.
				Art Unit	1645
				Examiner Name	Not yet assigned
Sheet	3	of	3	Attorney Docket Number	018651-000320US

U.S. PATENT DOCUMENTS					
Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5,789,653	08/04/1988	Skames, W.C.	
	AB	US-6,010,860	01/04/2000	Bushman, F.D.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> <small>Kind Code<sup>5</sup> (if known)</small>				
	AC	WO	97/35589	10/02/1997	Kopreski, M.S.		<input type="checkbox"/>
	AD	WO	98/14617	04/09/1998	Urnovitz, H.B.		<input type="checkbox"/>

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AE	Diatchenko, L. et al., "Suppression subtractive hybridization: A method for generating differentially regulated or tissue-specific cDNA probes and libraries," <i>Proc. Natl. Acad. Sci. USA</i> , 93:6025-6030 (June 1996)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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SF 1389285 v1